

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHNNY M. RODRIGUEZ,)	
)	
Plaintiff,)	8:04CV576
)	
v.)	
)	
UNION PACIFIC RAILROAD,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the court on plaintiff's objection, Filing No. 46, to extend the deadline for a response to the summary judgment in this case and a motion to extend the response to the summary judgment deadline, Filing No. 47. There is also currently pending a motion to compel discovery in this case that is associated with the objection and motion to extend. Filing No. 48. Because the motion to compel is pending, the court concludes that the objection should be overruled and the motion to extend granted at this time. After Magistrate Judge Thomas Thalken has ruled on the motion to compel, he will then institute a time-line for responding to the summary judgment.

THEREFORE, IT IS ORDERED that:

1. The objection to the motion to extend, Filing No. 46, is overruled; and
2. The motion to extend, Filing No. 47, is granted until such time as Magistrate Judge Thomas Thalken rules on the motion to compel and issues new response times.

DATED this 2nd day of March, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge